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13
14 UNITED STATES DISTRICT COURT
15 NORTHERN DISTRICT OF CALIFORNIA
16 SAN FRANCISCO DIVISION

17 UNITED STATES OF AMERICA,) CASE NO. 97-0093-02 CAL
18 Plaintiff,) WRIT OF CONTINUING GARNISHMENT
19 v.)
20 DARON MARCEL TYSON,)
21 Defendant,)
22 _____)
23 CITY AND COUNTY OF SAN FRANCISCO,)
24 Garnishee.)

25 TO: City and County of San Francisco
26 One S. Van Ness Ave., 8th Floor
27 San Francisco, CA 94103

28 **YOU ARE HEREBY COMMANDED TO GARNISH FOR THE BENEFIT OF THE UNITED
STATES OF AMERICA PROPERTY IN YOUR POSSESSION IN WHICH THE DEFENDANT
-JUDGMENT DEBTOR HAS A SUBSTANTIAL NONEXEMPT INTEREST.**

29 The name, last known address, and last four digits of the social security number of the person

1 who is the defendant-judgment debtor ("defendant") in this action and whose property is subject to this

2 Writ are as follows:

3 Daron M. Tyson
4 253 Lobos St.
5 San Francisco, CA 94112
6 Social Security Number (last four digits): XXX-XX-1506.

7 This Writ has been issued at the request of the United States of America to enforce the collection
8 of a criminal judgment entered in favor of the United States against the debtor for a debt in the original
9 amount of \$150,890.67. There is a balance due of approximately \$352,210.47.

10 The following are the steps that you must take to comply with this Writ. If you have any
11 questions, you should consult with your attorney.

12 1. Pursuant to 28 U.S.C. § 3205(c)(2)(F), if you have in your custody, control, or possession
13 any property of the debtor (including wages, salary, commissions, or bonuses; or periodic payments
14 pursuant to a pension or retirement program) in which the debtor has a substantial nonexempt interest, or
15 if you obtain custody, control, or possession of such property while this Writ is in effect, you must
16 immediately withhold such property from the debtor and retain it in your possession until you receive
17 instructions from the Court which will tell you what to do with the property. With respect to the
18 debtor's wages, salary, commissions, or bonuses; or periodic payments pursuant to a pension or
19 retirement program, you must withhold twenty-five percent (25%) of such amount(s) after all deductions
required by law have been withheld. See, 28 U.S.C. §§ 3205(a) and 3002(9).

20 2. Pursuant to 28 U.S.C. § 3205(c)(2)(E), you are required to answer this Writ within 10
21 days after service of this Writ upon you. You must answer the Writ even if you do not have in your
22 custody, control, or possession any property of the debtor. Pursuant to 28 U.S.C. § 3205(c)(4), your
23 answer must state, under oath, the following information:

24 a. Whether or not you have in your custody, control, or possession, any property
25 owned by the debtor in which the debtor has a substantial nonexempt interest, including nonexempt
26 disposable earnings;

27 b. a description of such property and the value of such property;
28 c. a description of any previous garnishments to which such property is subject and

1 the extent to which any remaining property is not exempt; and

2 d. the amount of the debt you anticipate owing to the debtor in the future and
3 whether the period for payment will be weekly or another specified period.

4 For your convenience, a form which addresses the above-requested information is attached and
5 may be used to answer the Writ.

6 3. After you complete the answer under oath, pursuant to 28 U.S.C. § 3205(c)(2)(E) and
7 (c)(4), within ten (10) days after service of this Writ upon you, you must mail or deliver the original
8 answer bearing the original signature of the person preparing the answer to the Court at the following
9 address:

10 Clerk, United States District Court
11 450 Golden Gate Ave., Box 36060
12 San Francisco, CA 94102.

13 At the same time you mail or deliver the original answer to the Court, you must also mail or
14 deliver a copy of the original answer to both the debtor and attorney for the United States at the
15 following respective addresses:

16 Daron M. Tyson
17 253 Lobos St.
18 San Francisco, CA 94112

19 Julie C. Reagin
20 Assistant U.S. Attorney
21 450 Golden Gate Avenue, 9th Floor
22 P.O. Box 36055
23 San Francisco, CA 94102.

24 Please note that the attached form answer contains a certificate of service which needs to be
25 completed by the person mailing the copies of the answer to the debtor and the attorney for the United
26 States, and which needs to be filed with the Court along with the answer.

27 IF YOU FAIL TO ANSWER THIS WRIT OR FAIL TO WITHHOLD PROPERTY IN
28 ACCORDANCE WITH THIS WRIT, THE UNITED STATES MAY PETITION THE COURT FOR
AN ORDER REQUIRING YOU TO APPEAR BEFORE THE COURT TO ANSWER THE WRIT
AND TO WITHHOLD PROPERTY IN ACCORDANCE WITH THE WRIT BEFORE THE
APPEARANCE DATE. IF YOU FAIL TO APPEAR OR DO APPEAR AND FAIL TO SHOW GOOD

1 CAUSE WHY YOU FAILED TO COMPLY WITH THIS WRIT, THE COURT WILL ENTER A
2 JUDGMENT AGAINST YOU FOR THE VALUE OF THE DEBTOR'S NONEXEMPT INTEREST
3 IN SUCH PROPERTY (INCLUDING NONEXEMPT DISPOSABLE EARNINGS). THE COURT
4 MAY ALSO AWARD A REASONABLE ATTORNEY'S FEE TO THE UNITED STATES AND
5 AGAINST YOU IF THE WRIT IS NOT ANSWERED WITHIN THE TIME SPECIFIED HEREIN
6 AND IF THE UNITED STATES FILES A PETITION REQUIRING YOU TO APPEAR.

7 RICHARD W. WIEKING,
8 Clerk of the United States
District Court for the Northern
9 District of California

RUBY H. WOO

10 Dated: APR 22 2015

By:

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12 Deputy Clerk
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